

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7060

BILL NUMBER: HB 1349

NOTE PREPARED: Jan 26, 2012

BILL AMENDED:

SUBJECT: Drainage Boards.

FIRST AUTHOR: Rep. Dodge

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill provides that a "mutual drain" and a "private drain" may be a natural watercourse. It requires the drainage board of a county to include every tract of land within a watershed affected by a drain to be constructed, reconstructed, or maintained in a determination of benefits or damages. The bill also provides that a board may use all or part of certain interest generated in lieu of fees.

Effective Date: July 1, 2012.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: This bill could increase administrative costs for county drainage boards by requiring that they include every tract of land within a watershed affected by the construction, reconstruction, or maintenance of a drain when determining benefits or damages to land. Current statute provides that the boards may use certain factors when making these determinations, including the consideration of the watershed affected and the number of acres in each tract. Any impact will depend upon the methodology that the boards are currently using to determine benefits or damages.

Explanation of Local Revenues: The bill provides that county drainage boards may use all or part of interest generated from drain maintenance funds or general drain improvement funds instead of using fees to fund services. Any impact will depend upon local action.

Currently, drainage boards are required to have a drain maintenance fund for each regulated drain, except when the maintenance assessment is less than \$1,500. For drains with maintenance assessments less than \$1,500, the maintenance costs may be paid from the drainage board's General Drain Improvement Fund.

State Agencies Affected:

Local Agencies Affected: County drainage boards.

Information Sources:

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